

House File 424 - Enrolled

House File 424

AN ACT  
RELATING TO THE FORFEITURE OF BAIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 602.8102, subsection 131, Code 2021, is amended to read as follows:

131. Hold the amount of forfeiture and judgment of bail in the clerk's office for ~~ninety~~ one hundred fifty days as provided in [section 811.6](#).

Sec. 2. Section 811.6, subsections 2 and 3, Code 2021, are amended to read as follows:

2. Where a forfeiture and judgment have been entered as provided in [this section](#), and the amount of the judgment has been paid to the clerk, the clerk shall hold the same as funds of the clerk's office for a period of ~~ninety~~ one hundred fifty days from the date of judgment.

3. a. The court may, upon application, set aside such judgment if, within ~~ninety~~ one hundred fifty days from the date of the judgment, ~~the~~ any of the following occur:

(1) The defendant shall voluntarily surrender surrenders to the sheriff of the county, or the.

(2) The defendant's sureties shall, at their own expense, deliver the defendant or facilitate delivery of the defendant to the custody of the sheriff. Such

(3) The court determines, upon consideration of all circumstances, that setting aside the judgment is warranted.

b. A judgment shall not be set aside, however, under

this subsection unless as a condition precedent thereto, the defendant and the defendant's sureties ~~shall~~ have paid all costs and expenses incurred in connection ~~therewith~~ with the judgment.

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PAT GRASSLEY  
Speaker of the House

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JAKE CHAPMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 424, Eighty-ninth General Assembly.

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MEGHAN NELSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2021

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KIM REYNOLDS  
Governor